



Sen. John M. Sullivan

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09700SB3824sam001

LRB097 19827 RLC 66804 a

1 AMENDMENT TO SENATE BILL 3824

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3824 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 1961 is amended by  
5 changing Section 12-9 as follows:

6 (720 ILCS 5/12-9) (from Ch. 38, par. 12-9)

7 Sec. 12-9. Threatening public officials.

8 (a) A person commits threatening a public official when:

9 (1) that person knowingly delivers or conveys,  
10 directly or indirectly, to a public official by any means a  
11 communication:

12 (i) containing a threat that would place the public  
13 official or a member of his or her immediate family in  
14 reasonable apprehension of immediate or future bodily  
15 harm, sexual assault, confinement, or restraint; or

16 (ii) containing a threat that would place the

1 public official or a member of his or her immediate  
2 family in reasonable apprehension that damage will  
3 occur to property in the custody, care, or control of  
4 the public official or his or her immediate family; and

5 (2) the threat was conveyed because of the performance  
6 or nonperformance of some public duty, because of hostility  
7 of the person making the threat toward the status or  
8 position of the public official, or because of any other  
9 factor related to the official's public existence.

10 (a-5) For purposes of a threat to a sworn law enforcement  
11 officer, the threat must contain specific facts indicative of a  
12 unique threat to the person, family or property of the officer  
13 and not a generalized threat of harm.

14 (a-6) For purposes of a threat to a social worker,  
15 caseworker, or investigator, the threat must contain specific  
16 facts indicative of a unique threat to the person, family or  
17 property of the individual and not a generalized threat of  
18 harm.

19 (b) For purposes of this Section:

20 (1) "Public official" means a person who is elected to  
21 office in accordance with a statute or who is appointed to  
22 an office which is established, and the qualifications and  
23 duties of which are prescribed, by statute, to discharge a  
24 public duty for the State or any of its political  
25 subdivisions or in the case of an elective office any  
26 person who has filed the required documents for nomination

1 or election to such office. "Public official" includes a  
2 duly appointed assistant State's Attorney, assistant  
3 Attorney General, or Appellate Prosecutor; ~~7 and~~ a sworn  
4 law enforcement or peace officer; a social worker,  
5 caseworker, or investigator employed by the Department of  
6 Healthcare and Family Services, the Department of Human  
7 Services, or the Department of Children and Family  
8 Services.

9 (2) "Immediate family" means a public official's  
10 spouse or child or children.

11 (c) Threatening a public official is a Class 3 felony for a  
12 first offense and a Class 2 felony for a second or subsequent  
13 offense.

14 (Source: P.A. 95-466, eff. 6-1-08; 96-1551, eff. 7-1-11.)".